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In re: Petition of Cambridge Electric Light Company	)	
and Commonwealth Electric Company, d/b/a NSTAR	)	
Electric, requesting approval of its Transition Charge	)	D.T.E. No. 02-80B
Reconciliation filing, together with proposed Transition	)	
Charges for Cambridge Electric Light Company and	)	
Commonwealth Electric Company, pursuant to G.L. c.	)	
164, §1A(a) and 220 C.M.R. §11.03 (4)(e)	)	
	)	

Pursuant to 220 CMR §1.03(1), the towns of Aquinnah, Barnstable, Bourne, Brewster, Chatham, Chilmark, Dennis, Edgartown, Eastham, Falmouth, Harwich, Mashpee, Oak Bluffs, Orleans, Provincetown, Sandwich, Tisbury, Truro, West Tisbury, Wellfleet, and Yarmouth, and the counties of Barnstable and Dukes County, acting together as the Cape Light Compact (the “Compact”), hereby respectfully petition the Department of Telecommunications and Energy (the “Department”) for leave to participate in DTE 02-80B as an interested person. In support of this Petition, the Compact states as follows:

1. The Cape Light Compact is a governmental aggregator under G.L. c. 164, §13A consisting of the twenty-one towns in Barnstable and Dukes Counties, as listed above, as well as the two counties themselves. It is organized through a formal Inter-Governmental Agreement signed by all of the towns, as well as Barnstable and Dukes counties, pursuant to G.L. c. 4, §4A. The Compact's Aggregation Plan was approved by the Department in

DTE 00-47. The Compact maintains a business office within the Barnstable County offices located at the Superior Courthouse at 3195 Main Street in Barnstable, MA 02630.

2. The purposes of the Compact include, among other things, the advancement of the interests of consumers in a competitive electric supply market. Toward that end, the Compact operates an Energy Efficiency Plan (“EEP”) that was approved by the Department in DTE 00-47C, and that is also currently under Department review for extension in DTE 03-39. The Compact also operates a municipal aggregation Default Service Pilot Project, which provides electric power supply to approximately 48,000 customers located within the Compact’s service territory that would otherwise be subject to Default Service. The Department approved the Compact’s Pilot Project in DTE 01-63. The Compact has also participated in numerous other Department ratemaking procedures, and other such dockets.

3. The Compact is substantially and specifically affected by this proceeding, as Commonwealth Electric d/b/a NSTAR Electric (“Commonwealth”) collects charges for energy efficiency and renewables programs pursuant to G. L. c. 25, §§ 19 and 20, and then transfers these funds to the Compact for use in implementing its EEP. Commonwealth is also the local distribution company servicing all of the customers within the Compact’s member municipalities.

4. The Compact is also substantially and specifically affected by this proceeding, in that it also represents the Standard Offer and other customers within its service territory that currently purchase electricity from Commonwealth. The Compact is also substantially and specifically affected as a representative of the towns and counties which are themselves significant customers of Commonwealth. The Compact was an intervenor

in the proceedings to review Commonwealth's restructuring plan in DTE 97-111, when Commonwealth sought approval of its asset divestiture in DTE 98-78, and when Commonwealth sought approval of its rate plan in DTE 99-19.

5. Therefore, the Compact seeks leave to participate as an interested person on its own behalf, and also in a representative capacity on behalf of the interests of electricity consumers in Barnstable and Dukes counties. As such, the Compact's monitoring of the proceedings as an interested person will enable a significant class of persons otherwise lacking direct representation to be informed of the DTE 02-80B proceeding. The Compact seeks to determine whether Commonwealth's petition is in the best interests of consumers within the Compact's service territory.

6. The Compact's participation will not unduly burden the Department, the petitioners, or any of the parties that have filed or intervened in this proceeding. The Compact does not intend to present any evidence in this proceeding.

7. The Compact also respectfully asks the Department to allow this petition, as the Compact has good cause for late filing pursuant to 220 CMR §1.01(4). As a governmental entity, the Compact needed to obtain various approvals before authorizing the filing of the instant petition. Such permission was not received until recently. Therefore, the Compact's unique status as a governmental aggregator has resulted in good cause for the short delay in filing its petition.

8. Robert Werlin, Esq., outside counsel for Commonwealth, has authorized the Compact to state that NSTAR does not object to the Compact's late filed petition to participate as an interested person in DTE 02-80B.

9. Judy Laster, Esq. of the Massachusetts Attorney General's Office has also authorized the Compact to state that the Attorney General does not object to the Compact's late filed petition to participate as an interested person in DTE 02-80B, as long as the Compact's participation does not delay the procedural schedule to the extent it has already been established.

10. Therefore, the Compact asks the Department to allow it to participate as an interested person in this proceeding, in order that its interests as stated above may be fully protected.

For all of the above reasons, the Compact respectfully requests that the Department allow this petition to participate as an interested person. The Compact hereby notices the appearances of the undersigned counsel.

Respectfully submitted,  
THE CAPE LIGHT COMPACT

By its attorneys,

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Dated: May 16, 2003

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